

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

SYNERGY GREENTECH CORPORATION,)	No. 3:12-cv-05543-BHS
)	
Plaintiff,)	STIPULATED MOTION TO SEAL
)	MAGNA FORCE'S REPLY IN
v.)	SUPPORT OF MOTION FOR
)	SUMMARY JUDGMENT
MAGNA FORCE, INC.,)	
)	NOTE ON MOTION
Defendant.)	CALENDAR: June 28, 2013

In accordance with CR 5(g) and 7(d)(1), and the Protective Order governing this case (Dkt. 21), Defendant Magna Force, Inc. (“Magna Force”) and Plaintiff Synergy GreenTech Corp. (“Synergy”) jointly move the Court to seal portions of Magna Force, Inc.’s concurrently filed Reply in Support of Motion for Summary Judgment (“Reply”), and exhibits to the Declaration of Daniel Davies in Support of Magna Force’s Reply (“Davies Reply Declaration”). Specifically, the Parties move to seal portions of the Reply that refer to or quote exhibits previously sealed in this case. The portions of the Reply should be sealed because they refer to confidential Magna Force, Synergy and MagnaDrive Inc. (“MDC”) financial data, and confidential information about the Parties’ strategic planning and direction.

Both the Supreme Court and the Ninth Circuit have held that good cause exists to limit public access to judicial documents where such records constitute “sources of business information that might harm a litigant’s competitive standing.” *See, e.g., Nixon v. Warner*

Davis Wright Tremaine LLP
LAW OFFICES
Suite 2200
1201 Third Avenue
Seattle, WA 98101-3045
206.622.3150 main • 206.757.7700 fax

1 *Comme'ns, Inc.*, 435 U.S. 589, 598 (1978); *In re McClatchy Newspapers, Inc.*, 288 F.3d 369,
 2 370-71 (9th Cir. 2002); *Hagestad v. Tragessor*, 49 F.3d 1430, 1434 (9th Cir. 1995) (holding
 3 that the protection of trade secrets can overcome the public interest in understanding the
 4 judicial process and support the sealing of documents filed in court (quoting *EEOC v. Erection*
 5 *Co., Inc.*, 900 F.2d 168, 170 (9th Cir. 1990)).

6 In accordance with Local Rule 5(g)(3), to minimize the amount of material filed under
 7 seal, the Parties conferred on June 28, 2013 and agreed on the need to file portions of the Reply
 8 that refer to or quote exhibits previously sealed in this case under seal.

9 Accordingly, the Parties respectfully request leave to file under seal portions of the
 10 Reply that refer to or quote exhibits previously filed under seal in this case.

11 DATED this 28th day of June, 2013.

12
 13 Davis Wright Tremaine LLP
 Attorneys for Defendant Magna Force, Inc.

Hogan Lovells US LLP
 Attorneys for Plaintiff
 Synergy GreenTech Corporation

14 By: /s/ Daniel Davies

By: /s/ Jie Li

15 Warren Rheume, WSBA #13627
 16 Daniel Davies, WSBA #41793
 1201 Third Avenue, Suite 2200
 17 Seattle, Washington 98101-3045
 Telephone: (206) 757-8088
 18 Fax: (206) 757-7088
 E-mail: warrenrheume@dwt.com
 19 dandavies@dwt.com

Robin E. Wechkin, WSBA #24746
 8426 316th Pl. SE
 Issaquah, WA 98027
 Telephone: (425) 222-0595
 Robin.wechkin@hoganlovells.com

K.T. Cherian (*Pro Hac Vice*)
 Scott Wales (*Pro Hac Vice*)
 Song Zhu (*Pro Hac Vice*)
 Jie Li (*Pro Hac Vice*)
 3 Embarcadero Center, 15th Floor
 San Francisco, California 94111
 Telephone: (415) 374-2301
 Facsimile: (415) 374-2499
 Sunny.cherian@hoganlovells.com
 Scott.wales@hoganlovells.com
 Jie.li@hoganlovells.com
 Song.Zhu@hoganlovells.com

IT IS SO ORDERED.

The Clerk of Court is directed to retain under seal the unredacted version of Magna Force, Inc.'s Reply in support of Motion for Summary Judgment.

Dated this 1 day of July, 2013.


The Honorable Benjamin H. Settle
UNITED STATES DISTRICT JUDGE